

Shire of Esperance

ANNUAL ELECTORS MEETING

TUESDAY 4 FEBRUARY 2020

MINUTES

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Esperance for any act, omission or statement or intimation occurring during Council or Committee meetings. The Shire of Esperance disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings. Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee meeting does so at that person's or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or intimation of approval made by a member or officer of the Shire of Esperance during the course of any meeting is not intended to be and is not to be taken as notice of approval from the Shire of Esperance. The Shire of Esperance warns that anyone who has any application lodged with the Shire of Esperance must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attaching to the decision made by the Shire of Esperance in respect of the application.

ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST

Council is committed to a code of conduct and all decisions are based on an honest assessment of the issue, ethical decision-making and personal integrity. Councillors and staff adhere to the statutory requirements to declare financial, proximity and impartiality interests and once declared follow the legislation as required.

ATTACHMENTS

Please be advised that in order to save printing and paper costs, all attachments referenced in this paper are available in the original Agenda document for this meeting.

Table of Contents / Index

| ITEM NO. | ITEM HEADING | PAGE |
|-------------|--|------|
| 1. | OFFICIAL OPENING | 4 |
| 2. | ATTENDANCE | 4 |
| 3. | APOLOGIES & NOTIFICATION OF GRANTED LEAVE OF ABSENCE | 5 |
| 4. | CONFIRMATION OF MINUTES | 5 |
| 5. | PURPOSE OF MEETING | 5 |
| 6. | GENERAL BUSINESS | 5 |
| 7. | CLOSURE | 8 |

SHIRE OF ESPERANCE
MINUTES
OF THE ANNUAL ELECTORS MEETING
HELD IN ESPERANCE CIVIC CENTRE ON 4 FEBRUARY 2020.

1. OFFICIAL OPENING

The Shire President declared the meeting open at 7.00pm and did an acknowledgement to country.

The President welcomed Councillors, staff, guests and members of the public to the meeting.

2. ATTENDANCE

Members

| | | |
|------------------|------------------|------------|
| Cr I Mickel | President | Rural Ward |
| Cr B Parker | Deputy President | Rural Ward |
| Cr J O'Donnell | | Town Ward |
| Cr S McMullen | | Town Ward |
| Cr S Payne | | Town Ward |
| Cr J Obourne | | Town Ward |
| Cr R Chambers | | Town Ward |
| Cr D Piercey, JP | | Town Ward |
| Cr W Graham | | Rural Ward |

Shire Officers

| | |
|------------------------|---|
| Mr W M (Matthew) Scott | Chief Executive Officer |
| Mr S Burge | Director Corporate Resources |
| Mr M Walker | Director Asset Management |
| Mr T Sargent | Director External Services |
| Miss A McArthur | Administration Officer - Executive Services |
| Mrs H Hall | Executive Assistant |
| Mr J Sudmeyer | Media & Communications Officer |
| Miss S Shaddick | Manager Marketing & Communications |
| Miss C Smith | Media & Marketing Officer |

Members of the Public & Press

| | | |
|---------------------------------|----------------|-------------------|
| Miss S Makse | Mr B Andre | Mr J Andre |
| <i>Esperance Express</i> | Ms J Beale | Mr I Mumme |
| Ms M Snow | Mr M Heasman | Mrs A Vincent |
| <i>ABC Goldfields/Esperance</i> | Mrs J Heasman | Mr C Siemer |
| Mrs C O'Dwyer | Mr R Johnson | Mrs N Bowman |
| Mr K O'Dwyer | Mrs V Brown | Mrs J Andre |
| Dr K Nieukerke | Mrs A Parker | Mrs J Fitzpatrick |
| Mr D Miller | Mrs M Warren | Mr G Gath |
| Mrs J Biven | Mr k Warren | Mr P Clifton |
| Mr M Biven | Miss L Vincent | Ms T Castledine |
| Mr A Johnson | Mrs E Siemer | Mrs D King |
| Mr B Pearce | Mr K Hall | Mr D King |
| Mr L Western | Dr N Charmer | Mr K Mills |
| Mr S McKenzie | Mrs D Johnson | Ms C Bursey |
| Mr R Cullen | Mr P Charmer | Ms T Lowe |
| Mr P Wharton | Mrs W Kennedy | |
| Ms T Ibrahim | Mr G Kennedy | |

3. APOLOGIES & NOTIFICATION OF GRANTED LEAVE OF ABSENCE

Nil

4. CONFIRMATION OF MINUTES

Moved: Mrs V Brown
Seconded: Dr K Nieukerke

AEM0220-036

That the Minutes of the Annual Electors Meeting held Tuesday 17 December 2018 be confirmed as a true and correct record.

CARRIED

5. PURPOSE OF MEETING

Moved: Mr M Heasman
Seconded: Mrs N Bowman

AEM0220-037

Receival of the 2018/19 Annual Report.

CARRIED

6. GENERAL BUSINESS

Question 1 - Mrs E Siemer

Mrs Siemer referred to the 2019 Community Perception Survey, in particular page 43 of the report, which pin points areas of the Council the Community is unhappy with. Mrs Siemer questioned how Council is going to rectify the relationship and communication with the community based off the survey results. She also questioned if the survey results are in the forefront of Council's mind when decisions are being made.

Cr Mickel responded that since the survey results have been received, there has been an election, which elected five (5) new Councillor's. He stated that Councillors heard many issues during the elections when liaising with community members, and have brought those issues to Council to be addressed.

Cr Mickel explained that Council has recently had an independent facilitator who assisted Council in identifying priorities and key details within the current Strategic Community Plan. Cr Mickel acknowledged that the Community has been through a difficult debate and, which caused some divide, but Council are focused and committed to rectifying the relationship with the community.

Question 2 - Dr K Nieukerke

Dr Nieukerke asked his questions on behalf of the Esperance Ratepayers Association. Dr Nieukerke referred to the motion raised at the last Annual Electors Meeting regarding the CEO's performance, he questioned what steps have been taken to improve the communication gap with the community on contentious issues.

Mr Scott responded that the Administration have done numerous things to improve the communication with the community. This included a public forum on the Long Term Financial Plan which was requested by the community, but unfortunately had a very poor turn out. Mr Scott stated that the Shire have also done several community consultations regarding various Council projects, in several locations within the town and district.

Mr Scott explained that all Council meetings are open to the public, and public are more than welcome to address issues directly with Council. He also stated that the Council has set the Administration a number of KPI's which the Administration are actively working towards achieving.

Dr Nieukerke questioned what insight Council has gained from investigating the City of Bayswater's Participatory Budget process.

Mr Burge responded that a staff member investigated their process, and discovered the process was resources intensive. Mr Burge explained their process had heavy community involvement, however all community members who were a part of the process were required to have extensive training, and there would be a minimum of 40 community members required. Mr Burge stated that the Council at the time said they didn't want to use this process as it was too cost and resource prohibitive.

Dr Nieukerke questioned with regards to the proposed waste facility if Council will consider using the 271k balance within the landfill investigation budget to redesign the dye test so the dye can be found rather than waiting for it to appear.

Cr Mickel responded that Council are looking at the whole range of issues with regards to the proposed waste facility, and are continuing to have extensive briefings with the Administration to ensure Council is fully across the topic before they make a formal decision.

Dr Nieukerke referred to Councillor training for newly Elected Members that is now compulsory. He questioned what formal training Council has participated in and when it was completed.

Cr Mickel responded that Council have been undertaking a two day training course, covering several units of competency. He stated that newly Elected Members have four (4) to 5 (five) months to complete the units. Cr Mickel ensured Dr Nieukerke that Council are doing as they are meant to with regards to Councillor training.

Question 3 - Mr J Andre

Mr Andre referred to the size of the barge being used for the deconstruction of the Tanker Jetty. He questioned if Southern Ports have approved and scrutinized the barge, as in his opinion it does not look safe. Mr Andre also questioned if anyone has been injured yet, working on the barge or in the cages attached to the barge.

Cr Mickel took this question on notice. However, the meeting was advised that Southern Ports Authority had approved the barge in response to a subsequent question.

Mr Andre referred to the recent rendering on the outside of the Civic Centre, he questioned what the future plans for it are.

Cr Mickel responded that the works were done on the Civic Centre some 12 months ago. He explained that the future plans for the building is for there to be artwork on the outside, but the artwork has not yet been decided and staff are currently engaging with experts.

Question 4 - Mrs J Andre

Mrs Andre questioned if cars are allowed to stop within a roundabout.

Mr Walker responded that you are not allowed to stop, drivers need to wait until there is a clear path to exit.

Mrs Andre questioned if you are still required to stop for pedestrian crossing exiting a roundabout.

Mr Walker responded that yes you are required to as a driver stop for a pedestrian crossing.

Motion 1

Moved: Mrs A Vincent
Seconded: Mrs V Brown

That the Shire of Esperance explores the forming of a Streetscape Committee.

CARRIED

Motion 2

Moved: Mr M Biven
Seconded: Mrs D Johnson

That the Esperance Shire abandons lot 12 Kirwan Road and pursues a replacement landfill site on land more accommodating for this type of land use.

CARRIED

Question 5 - Mrs E Siemer

Mrs Siemer questioned if the Urban Nodes were taken out of the Town Centre Revitalisation Plan.

Mr Walker responded that they came out of the Streetscape Plan which flowed on from the Town Centre Revitalisation Plan.

Mrs Siemer questioned what would the Community have to do in order to get the Urban Nodes removed.

Cr Mickel responded that the Nodes are on in place for a 6 month trial and Council will reevaluate at the end of the trial.

Mr K O'Dwyer

Mr O'Dwyer made a statement regarding the Urban Nodes.

Question 6 - Dr K Nieuwerkerke

Dr Nieuwerkerke requested clarification on Cr Mickel response to Mrs Siemer. He questioned what would the community have to do to tell Council their opinion on the Urban Node Trial.

Cr Mickel responded that Community members are more than welcome to speak to any of the nine (9) elected members of Council discuss their opinion.

Dr N Charmer

Dr Charmer made a statement regarding the importance of preserving the environment, and spoke against the proposed waste facility on Kirwan Road.

Mr R Smoker

Mr Smoker made a statement regarding the deconstruction works of the Tanker Jetty.

Question 7 - Mr K O'Dwyer

Mr O'Dwyer questioned if someone gets injured whilst working on the Tanker Jetty, who is held responsible.

Mr Scott responded that the contractor deconstructing the Jetty is required to have their own insurance and meet all legal obligations.

Cr McMullen added that the Shire has insurance over the whole Jetty project, meaning if the current contractor cannot complete the works a second or third party will be able to complete the project.

Question 8 - Ms T Ibrahim

Ms Ibrahim questioned who is liable should the work conditions on the barge not be safe.

Mr Scott responded that under the contract, the deconstruction contractor has to meet all legal obligations. Mr Scott added that Southern Ports have previously engaged with the contractor and is satisfied with their equipment and processes.

a

Dr K Nieukerke

Dr Nieukerke made a statement regarding the importance of safety during the deconstruction.

Question 10 - Mr K Mills

Mr Mills referred to the clearing of verges right up to the rural roads, and are being farmed. Mr Mills questioned if Council was aware of this and if so what are Council doing about it.

Mr Walker responded that the Shire is aware of the clearing and is not happy about it. Mr Walker added that staff have reported this to the Department of Water Environmental Regulation (DWER), and are taking action.

Mrs D Johnson

Mrs Johnson made a statement regarding the importance of water and spoke against the proposed waste facility being on Kirwan Road.

Question 11 - Mr G Gath

Mr Gath questioned if the Shire is going to remove the witches hat on top of a pine tree behind the Pier Hotel.

Mr Walker responded that the pine tree is on Council land, and will unfortunately be an expensive exercise. Mr Walker added that the Shire is waiting for contractors with the necessary resources and equipment to be in town in order to take it down.

Ms T Lowe

Ms Lowe made a statement regarding the Urban Nodes and spoke against the proposed waste facility being on Kirwan Road.

Question 12 - Mr G Gath

Mr Gath questioned if Council has investigated the possibility of re-establishing the water flow between Lake Warden and Pink Lake to how it once was.

Mr Walker responded that the Shire is understanding feasibility studies currently, and the report is awaiting finalisation. Mr Walker added that re-establishing the water flow is technically possible, and the Shire will be working with Department of Biodiversity Conservations & Attractions (DBCA) on the project. Mr Walker explained that the project may need EPA approval later down the track, but the Shire is seriously investigating the possibility.

Question 13 - Mr K O'Dwyer

Mr O'Dwyer referred to bushland behind Amelia Circuit, he believed this to be a fire risk. Mr O'Dwyer questioned when back burning would occur in this area.

Cr Chambers responded that the area Mr O'Dwyer referred to is Skroly Park, which has been planned to have a controlled burn in the near future when the weather is favourable.

Mr O'Dwyer questioned how often does back burning occur.

Cr Chambers responded that this depends on how quickly the land revegetates after back burning.

7. CLOSURE

The President declared the meeting closed at 8.35pm.

These Minutes were confirmed at a meeting held on _____

Signed _____

Presiding Member at the meeting at which the Minutes were confirmed.

Dated _____